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TOWN AND COUNTRY PLANNING
IN
ENGLAND AND WALES

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INTRODUCTION

The relationship between agricultural uses and more intensive uses of land is a knotty problem to resolve. It is an issue of major importance to Ohio's citizens and the nation. The capacity of our natural resources to accommodate a greater number of people is being given greater consideration. The time is at hand when natural resources will be given more emphasis in planning and decision-making. The recent report by the federal government, "Global 2000", paints a bleak picture for the future. Population growth and degradation of natural resources poses a threat to the entire world.

Ohio, the sixth most densely populated state in the nation, does not have a state land use policy. One of the major problems confronting state and local governments is how to make the best use of their land resources.

Ohio's citizens are concerned about problems associated with land use and quality of life. This concern has been given added impetus by the energy crisis, especially oil and gasoline shortages plus higher costs of other sources of energy. The Ohio legislature is sensitive and concerned about the best use of land and quality of the environment. A joint Legislative Land Use Review Committee submitted its final report, "A Guide for Land Use Legislation," in June 1977, which looked at land use in Ohio.

In March 1978 the Omnibus Land Use Bill (Senate Bill 115) was introduced in the Ohio General Assembly. The bill incorporates many of the provisions contained in the Land Use Review Committee's report. It addressed land use concerns such as planning, zoning, large-scale development and critical resource areas. At present the bill is being considered by the Senate Local Government and Urban Affairs Committee.

The Second Ohio Assembly on Land Use, which met in April 1979 and is sponsored

by the Ohio Conservation Foundation, recommended that the General Assembly enact legislation that would enable counties to use a broad range of land use preservation devices. Exclusive agricultural zoning, voluntary agricultural districts, transfer of development rights, land banking and conservation easements were among those listed. The participants, representing a broad cross section of Ohio's interests, organizations and geography, had evaluated the recommendations for improving land use planning contained in the Omnibus Land Use Bill (S.B. 115).

New legislation addressing land use in the form of House Bill 247, Ohio Agricultural Districts passed the Ohio House of Representatives (1980) and is being considered by the Senate Agriculture, Conservation and Environment Committee. The Assembly will be considering this bill for several months. It spells out provisions for the voluntary creation of agricultural districts and requires each county to formulate a land use policy by 1981.

Aware of the importance of this issue, I submitted a proposal to study England and Wales' land use legislation. This nation has passed laws and created organizational structures to deal with the population pressures exerted on its land resources. Also, the major stream of our nation's cultural heritage is derived from this country's past history.

The major purpose of this paper is to provide information for persons interested in land use and land use policies. The focus of this report is England and Wales' land use policies, specifically the Town and Country Planning Act of 1947, modified by subsequent Acts of similar title passed in 1962, 1968 and 1971.

Method

Information was obtained from two broad categories of sources; secondary sources such as books, articles, newspapers, structure and district plans, and other pertinent reports, and interviews as primary sources.

Information was secured via interviews with county and district councilors, planners, farmers, real estate agents and members of national, county, and local agencies, plus members of commissions responsible for land use policies. University professors, members of farmers' organizations, and voluntary organizations were also interviewed.

The following questions provided a framework for gathering information:

1. What was the situation leading up to enactment of this legislation?
2. How was the land use policy formulated?
3. What regulations were established to implement these policies?
4. How are the provisions of the Act administered by national, county and local governments?
5. How effective are these policies and organizational arrangements in providing for better land utilization?

Wherever possible in this report, words in common usage in the United States are substituted for terms of similar meaning used in England and Wales. In some cases United States terms are placed in parentheses next to the British words, however, in some instances there are no comparable terms.

THE NATIONAL SETTING AND THE EVOLUTION OF THE TOWN AND COUNTRY PLANNING ACT

England and Wales, with a population of fifty million plus, has a high population density--there are 920 people per square mile as compared to 260 per square mile in Ohio. Preserving a favorable balance between the competing demands made on land resources is even more critical for England and Wales than for Ohio or the United States. Food shortages during two world wars also make the British people more sensitive to how land is used, especially when farmland is converted to non-agricultural uses.

Great Britain was one of the first nations to become a predominantly urbanized country in a short period of time. Rapid urban growth was accompanied by problems associated with housing, health, and air and water pollution. Some nineteenth century political and social leaders were especially aware of the health problems associated with inadequate housing and sanitation. The idea became very widespread that cities were unhealthy places, i.e., "the devil made the cities", and the term "social cancer" was sometimes used in references to the growth of cities. The development of cities proceeded in a helter-skelter manner with little planning (1, pp. 6-32).

During the 19th century and early decades of the 20th century, ideas about reducing migration to cities and making life in the country more attractive were considered. In fact, propositions were put forth to reduce the size of cities and establish new settlements. This was a forerunner of the "new towns" idea. There was a general attitude that cities could grow too large and that some sort of public control over their development was needed.

The concern over urban sprawl and problems of cities is reflected in the title of a monumental work, "The Containment of Urban England" (7). The authors point out that the broad overall objectives of post-war planning were to contain unhealthy cities, protect the countryside, and avoid future urban problems by creating planned, large, self-contained garden cities, i.e., healthy, attractive places to live and work (7, p.67).

The fact that excellent to very good agricultural land is in short supply increases the population's interest in planning and best use of resources. The land has been classified by the Ministry of Agriculture, Food, and Fisheries into five grades; ranging from Grade 1, the best for agricultural purposes, to Grade 5 which has severe limitations for farm use.

Grade 1 land has no physical limitations for agricultural use, and Grade 2 has only minor limitations for farm use. However, of England and Wales' agricultural land area only one of every six acres (17.4%) is in these two grades. The greater part of the land in these two grades is located in the southern half of the country and is frequently threatened by urban developments. This land is well-suited for various types of uses other than for agriculture. Also, much of Grade 1 and 2 land is underlaid with sands and gravels and these materials are very much in demand for building purposes.

The largest proportion--nearly half (48.9)--is Grade 3, and a lot of this land is very productive. Grades 4 and 5 represent a third (33.7) of all the agricultural land, and most of this land is in the hills and uplands and is restricted to low output farm enterprises.

The nation's concerns about distribution of population and land use were expressed in three official reports and a White Paper published in the early 1940s. The three government reports, usually referred to as the Barlow, Uthwatt and Scott Reports, contributed significantly to this development. These three reports were augmented by an important White Paper entitled "Control of Land Use", published in 1944. This paper set forth a statement of intent about national planning.

The Report of the Royal Commission on the Distribution of the Industrial Population, 1940 (Barlow Report) addressed the question of the rearrangement of population. Some parts of the nation were losing population, while London and other urban areas in the southern region were experiencing rapid growth from migration and natural increase. The thrust of this report was to call attention to the need for a national policy and organizational machinery for dealing with the population problem on a national basis. It pointed out the pre-war inadequacies of both policies and organizations for dealing with changing socio-economic conditions (3, p. 26).

The Report of the Committee on Land Utilization in Rural Areas, 1943 (Scott Committee) emphasized the importance of protecting good agricultural land from urban encroachment and/or diverting it to uses other than agricultural production.

Report of the Expert Committee on Compensation and Betterment, 1942 (Uthwatt Committee) dealt with development rights and compensation.

"The reports of these committees (Uthwatt and Scott) together with that of the Barlow Commission constituted the famous trilogy which had a great influence on post-war planning" (3, p. 38).

These reports and conditions created by World War II provided an impetus for the development of national planning policies. England and Wales had the opportunity to plan for best use of land as a part of post-war reconstruction efforts.

Information in these reports plus other developments led to passage of The Town and Country Planning Act, 1947. This legislation provided the means of controlling land uses and giving direction to urban developments.

Under the provisions of the 1947 Act, all development rights were vested in central government, i.e., nationalization of development rights. However, this provision was abolished by the Town and Country Acts of 1953 and 1954 (3, pp. 132-34; 9, pp. 257-8).

The Town and Country Planning Act, assisted by other legislation, made provisions for the organizational structures needed to formulate policy and implement these policies. Planning was to be carried out only by the larger units of government--counties and county boroughs (larger towns and cities). The Town and Country Planning Act of 1947 also brought almost all development under control via the requirement of planning permission for any type of development. Another feature of the 1947 Act, which went beyond simply development control, was the requirement that development plans were to be prepared for every section of the nation. The plans were to outline the way in

which an area was to be developed and/or, in some cases, preserved. Coordination of these plans was to be affected by the new Ministry of Town and Country Planning.*

The base for town and country planning is the development plan which consists of a series of documents--including a written statement and maps containing a local planning authority's main objectives for land use in the area. The plan sets forth policies and proposals as a framework against which decisions can be made in controlling development of land.

This legislation required county councils and county borough councils (the local planning authorities) to prepare development plans showing how they wanted their areas to develop. The plans were in the form of detailed maps showing the types of land use appropriate for different areas. They were accompanied by a considerable amount of written information and commentary. The plans were to be reviewed every five years (2, pp. 160-162).

The first development plans under the Town and Country Planning Act of 1947 allocated land for various uses, including residential, business, industrial uses, and contained proposals for roads, public building, parks, open spaces and other public uses. It also indicated areas where existing uses of land were intended to remain unchanged. These "old" plans proved effective for controlling undesirable development, but they had less success as instruments for creative planning. They did not bring together the related problems arising from the use of land and traffic demands.

Although this form of planning played a very useful role for many years, certain shortcomings became apparent by the mid 60s, and provisions of the Act had changed very little since its enactment in 1947. The plans were too limited in their scope, and because they were so detailed, they quickly became out of date. Lengthy administrative procedures had to be followed if the plan was modified. These delays added to dissatisfaction with this type of plan.

*At a later date this agency became the Ministry of Housing and Local Government and finally it became the Department of the Environment, which assumed all the functions of the first two organizations.

The Amended Town and Country Acts of 1968 and 1971 attempted to remedy this situation. The 1968 legislation introduced a new type of development plan focusing on "structure plans" and "local (district) plans." Particular emphasis was given to widening the range of matters considered so as to ensure that social and economic factors were given greater attention. A county council's main responsibilities were with strategic planning, including structure plans and the consideration of major development proposals. In addition, this act distinguished between long term, strategic considerations and the more detailed local matters. (For more detailed information see 13. Also 3, especially Chapter 4, The Legislative Framework).

These changes were designed to reduce administrative delays, to emphasize positive planning for the creation of a pleasant environment rather than the negative control of undesirable development and to enable the public to play a greater part in the planning process. The old development plans are gradually being superseded by the new ones.

With passage of the Town and Country Planning Act of 1968, planning in England and Wales moved away from narrow land use allocations toward broader strategic planning, taking into account social and economic goals of city, town, and country. This change in perspective is seen in part by the formation of a Department of the Environment responsible for the whole field of planning and environmental protection plus a complete reorganization of local government.

Public acceptance of the planning system had been accompanied by a growing demand for more citizen participation in the planning process. This concern was made evident by changes in the Town and Country Planning Act of 1968, which mandated more citizen and organizational participation in the planning process. The amended act provides maximum opportunity for public participation in the formulation of structure and local plans, which was largely absent in earlier planning.

UNITS OF GOVERNMENT RESPONSIBLE FOR
IMPLEMENTING PROVISIONS OF THE
TOWN AND COUNTRY PLANNING ACT*

Central (National) Government

The Department of Environment is the agency of central government sharing the major responsibilities for land use planning and environmental protection. This department, whose head is the Secretary of State and a cabinet minister, is primarily concerned with strategic issues of policy and priorities.** The Ministry of Agriculture, Food and Fisheries, similar in many respects to the United States Department of Agriculture, is consulted if a decision involves important agricultural land or other natural resources in rural areas.

One part of the Secretary of State's many functions is to oversee the work of planning bodies and ensure that their development plans and control decisions are in keeping with broad national policies. He delegates responsibilities to regional offices for overseeing the development of structure and district plans, along with day-to-day operation of these plans.

The Department of Environment has eight regional offices in England particularly oriented to regional economic and physical planning. Each region has an appointed economic planning council and an economic planning board. The thirty part-time members of the council are drawn from people from various walks of life. The function of the council is to advise the central government on their region's needs and to formulate regional strategies.

The economic planning board plays a major role in implementing provisions of the Town and Country Planning Act. Its membership is comprised of senior personnel of agencies within the region. They represent the various departments

*For a comprehensive overview of provisions of this act see 11.

**The responsibilities that go with this position are entirely different from those of a Secretary of State in the United States.

of central government concerned with environmental issues. The senior official in the Department of Environment serves as regional director.

This director, who has a planning staff, works directly with counties as structure plans are being prepared. Planners in this office advise county and district planning committees as structure and local plans are being prepared.

The Secretary of State depends upon regional planners to monitor developments in their regions to ensure that national and regional policies are taken into account. He delegates authority to the regional offices to inspect and pass on almost all county structure plans. They write the modifications that go out on a county's structure plan, always "as directed by the Secretary of State." Only unusual cases would reach the Secretary of State's desk.

The regional organization is an advisory body and does not possess formal authority. However, it is well understood that in planning matters the Secretary of State relies heavily on the recommendations of the regional planning staff.

All structure plans must be submitted to and approved by the Secretary of State before they have legal status.

County

As a unit of government the functions and responsibilities of a county in Britain lie somewhere between a state and a county in the United States. A British county is more important than a county in the United States and less important than a state.

The county council (there may be 85 to more than 100 elected council members) appoints a committee to draw up the structure plan. Each county and district has a planning staff, which is required by law. The Council's Committee works with the planning staff in formulating a structure plan.

A structure plan is usually developed for an entire county; however,

because of wide variations in physical size and population, some counties are divided into two or more sections, and a structure plan is prepared for each section.

County councils must consult with district councils and delegate power to control development to district councils.

District

Within each county there are several districts. District councilors are elected and, in effect, serve much like a city council would in the United States. Some districts are composed of several small towns and open country. Others may be almost entirely a municipality with a rural fringe. The size of the population in districts can vary widely.

A council committee works with the district planning staff in drawing up any of three types of local plans: a district plan, action area plans and subject plans.

Parish

The smallest unit of government in Britain is the parish. There are more than 10,000 parishes in the nation. They are similar in function to the township in Ohio and several other states.

As units of government, parishes have rather limited functions, however, they provide for "grass roots" representation in the planning process. Elected parish councilors can be consulted and/or represented at planning meetings where district and county structure plans are being formulated. The views of village and rural residents find expression via the parish councils.

THE STRUCTURE PLAN

A county structure plan is a written plan setting out the county council's policies and general proposals for future developments. It addresses strategic matters and is a written document illustrated with diagrams rather than detailed plans or maps. The plan can be revised as circumstances change.

The plan has four main functions:

- 1) To interpret national and regional policies that affect the county.
- 2) To state and justify the county council's policies and general proposals for the development and other use of land for the next 15 years. The plan is to be reviewed every five years.
- 3) To provide a framework within which public and private investment programs can be coordinated.

The structure plan is not concerned with details nor does it provide a precise program for public investment. Detailed matters are dealt with in local plans. These differences in content of the two types of plans cause some confusion and criticism from persons not closely associated with planning objectives.

A structure plan must also bring certain matters to the attention of the general public and the Secretary of State, Department of the Environment. These include the main planning issues in the area, the intentions of the planning authority towards the issues and the reasoning behind those intentions. The planning authority's intentions are presented in the form of general objectives, together with the policies and proposals for achieving these objectives. Information in the final report may fill one or more bulletin-like publications one to two inches thick.

Because of the far-reaching effects that a structure plan can have on the future of people living in a county, the government attaches great importance to public discussion of these proposals while they are in the formative stage. There are legal provisions that publicity and public participation during the planning process are mandatory. In this plan and in district plans extensive efforts are made to involve the general public during the planning process.

In the early stages of developing a plan the county planning sub-committee and planning staff are in consultation with a wide range of agencies and departments of central government. Two examples are the Ministry of Agriculture, Food and Fisheries and the Countryside Commission.*

District councils from throughout the county are involved at an early stage. It is expected that representations will be made by parish councils as well.

Examples of representatives from the commercial and business sector would be the Home Builders Federation, the Chamber of Commerce and the local associations of estate agents (realtors). Voluntary organizations concerned with preservation and enhancement of the rural landscape would be represented by organizations such as the Council for the Protection of Rural England, The Town and Country Planning Association and the Ramblers (hikers) Association. Agricultural interests would be represented by the National Farmers Union and the Country Landowners Association.

Individuals--not representing any organization--can make statements and comments at public hearings. There are two kinds of public hearings; informal, consultative meetings when plans are in the formative stages, and at a later stage, formal public enquiries which are chaired by a DOE inspector. The planning committee also receives letters from individuals and organizations. All of these contributions are taken into account in the formulation of a structure plan.

An extensive educational program is carried out by the planning committee during the preparation of a structure plan. Preliminary drafts of plans are made available to the public.

*The Countryside Commission is officially a part of the Department of the Environment.

A preliminary copy (draft statement) is sent to district and parish councils, other public agencies and neighboring planning authorities. It is also available for inspection and sale to the general public. During this time, exhibitions and public meetings may be held throughout the county. Public meetings are augmented by news releases, pamphlets and other information summarizing the main proposals in the plan.

Details concerning public participation during this period of plan preparation are reported to the Secretary of State.

After all comments have been received, the draft statement is revised and sent to the Secretary of State for the Environment for his approval. The document will also be made available for inspection at council offices and libraries throughout the county.

The Secretary of State will take into account any objections and as part of this procedure, he will hold an inquiry, called an Examination in Public. Representatives of invited organizations may discuss and comment upon key issues in the proposed plan.*

When a structure plan is approved, it becomes the development plan for the area, together with existing county development plans. Where a policy in the structure plan conflicts with a policy in a previous plan, the structure plan will prevail.

Implementation of the structure plan objectives is largely left up to the districts. This is achieved in several ways. The county planning authority consults with district planning authorities while district plans are being formulated. A district must also get a certificate from the county stating that the district plan complies with the structure plan policies and objectives.

County councils can also issue A Direction when some major development in a district seems to represent a serious departure from structure plan

*Procedural details are omitted here. For a detailed explanation see 12.

policies. On receipt of this document, a district council must refer the planning application to the county council for its consideration. This type of authority is seldom used. In actual practice it seems that all of the larger projects proposed in a district are referred to the county council for its consideration. For example, a 500-unit housing development would be considered a "county matter."

If an application proposes something that goes counter to the structure plan, the district council will refer it to the county council as well. (For more on procedures used to obtain compliance with planning policies and objectives, see 9, especially Ch. 23, Town Planning Law; also 3, Ch. 6, The Control of Development)

THE LOCAL PLAN

The district council has the major responsibility for the character of development within its area and is responsible for the preparation of local plans. Within the framework provided by a structure plan, policies and proposals are developed in much greater detail in a local plan. Its purpose is to apply the strategy of the Structure Plan. The local plan provides a detailed basis for development control and brings detailed planning issues before the public.

District councils can prepare three types of local plans. These plans may deal with a variety of local circumstances. Some may cover very small areas, such as a village or part of an urban area. Others may deal with a particular subject encompassing a large area, such as mineral extraction or the recreational use of a river. Unlike structure plans, the district plan contains detailed local proposals in the form of maps.

Three types of Local Plans are:

- a) District plans, which are based on comprehensive consideration of the areas involved.

- b) Action area plans, which are also comprehensive plans but are designed for areas which are selected for intensive change within a set time period by development, redevelopment or improvement. Usually this type of plan is for an urban area.
- c) Subject plans, which show in detail an authority's proposals for some particular type of development or other use of land, i.e., mineral workings such as sand and gravel operations.

The district planning body preparing a local plan consults those public authorities and bodies likely to have an interest in the plan. They will be given an opportunity to comment on any document before it is published. A preliminary document is prepared and made available to the public.

Consultations with other governmental agencies are largely on a county basis, i.e., not on a regional or national basis. For example, a divisional agent (responsible for two or three counties) of the Agricultural Development and Advisory Service would represent the Ministry of Agriculture, Food and Fisheries rather than a regional agent. Several of the voluntary organizations such as the Ramblers Association may have persons from their local chapters attending the public hearings.

Staff members of the two farm organizations rarely participate in district meetings. One long time county secretary of the National Farmers Union commented, "We don't work on local plans--we don't have the staff to deal with this. If the structure plan is right then the local plans are likely to be right." Individual farmers do take part in the public inquiries--although they frequently are there as representatives of parish councils.

There is a greater involvement of parish councils in the development

of local plans than in the formulation of structure plans. They contribute ideas during the planning process and also play an important role in encouraging public involvement at the local level.

Following the incorporation of comments and suggestions, another draft plan is prepared and presented for additional public participation. After all revisions are made, the final draft is submitted to the district council.

Throughout this process there is ample opportunity for persons and organizations to make recommendations and suggestions as to what should be in the local plan. The government attaches great importance to public discussion during the planning process. A district planning committee is required by law to provide information and opportunities for the general public to participate in the planning process. An educational program is conducted by the planning committee during the preparation of a local plan.

The local plan provides precise information for development control and statements as to what control policies will be followed. Additional information will be in the form of written statements, diagrams and any other illustrations necessary to explain objectives and policies of the local plan. A zoning map will show what sites are allocated for particular purposes. The plan is specific in detailing where development will take place and where land uses will largely be unchanged.

Before a local plan can be formally adopted by the district council, a certificate must be obtained from the county that the proposed local plan conforms to the approved structure plan for that area. Following county approval the plan is made available for public inspection. If objections are received concerning some of the proposals in the plan, a local inquiry must be held. The district authority reviews the findings from the inquiry and may modify the plan.

When all requirements have been met, the district notifies the Secretary of State. The local plan itself is not usually submitted to the Secretary of State for his approval. However, contents of the plan must be in accord with the provisions of the county structure plan and the expressed views of local citizens. Unless he has some objections, the district proceeds to adopt the plan.

A planning permit (or permission) is the major control device that a district has to see that people adhere to what is set forth in the plan. A person submits a planning application for a change in land use. All applications have to be posted in public places, usually the village notice board. Within a specified period anyone can file an objection to this proposal. If the application is approved by the district council, the person is issued a planning permit, i.e., given planning permission for the proposed change in land use.

Rural landowners must apply for a planning permit when the proposed farm buildings contain 5,000 or more feet and are at least 40 feet in height. A district planner may advise farmers on the siting and landscaping of these buildings.

If a person's application is refused or he doesn't like the conditions set forth by the district he can request the Secretary of State to review and rule on the application. Usually a public inquiry is held chaired by an inspector appointed by the Secretary.

Following the inquiry, the inspector prepares a report for the Secretary. The Secretary may uphold council action in some cases and overrule council in others. In minor cases the inspector frequently makes the decision.

The district planning staff can initiate an Enforcement Action when something is going counter to its plan. An enforcement notice can be served to stop construction or any other development. It can

also follow with a Stop Notice, however, this legal device is rarely used (9, pp. 374-75).

WORKING RELATIONSHIPS BETWEEN PLANNERS AND OTHERS

Planners from a regional office advise county and district planners. Frequently they know each other and in some cases have worked in the same office or county earlier in their careers. Informal as well as formal meetings and discussions take place between planners at all three levels.

Much of the communication and decision-making takes place in a casual, informal setting with planners and other government agency personnel all well aware of "the rules of the game." Compromise and "advise and consent" facilitates the planning process. Regional planners rarely use formal sanctions when working with county and district planning bodies.

This comment by a planner is rather revealing: "The DOE (Department of the Environment) rarely tells a county what to do; however, their planners will advise a county concerning their structure plan, and the latter usually heeds this advice."

The chief planner of a district commented that regional planners "drop in" for discussions. He pointed out that by keeping them informed, planning applications from his district do not take so long to get reviewed. It seems a wait of several months isn't unusual for the processing of applications from some districts.

The influence of regional planners on structure and district plans would be difficult to assess, but one can be certain they contribute to the content of these plans via "advise and consent." They influence planning policies, both formally and informally, so regional objectives are taken into account by counties and districts.

Similar situations, i.e., the formal and informal working relationship between planners and other agency personnel, seem to be common when district and county plans are being formulated.

EVALUATIONS AND OBSERVATIONS

An Overview

After some thirty plus years of planning experience with the 1947 Town and Country Planning Act and subsequent amendments of this act, what are some of the benefits and shortcomings of this legislation? The evaluation of this legislation relies heavily upon books by British professionals, and interviews with persons involved in various ways with the provisions of this act.

A university professor commented that evaluation of the Town and Country Planning Act is difficult and is made even more difficult because many structure and district plans are at various stages in the planning process. Fifty of the 72 structure plans are completed, and seventeen others have been submitted to the Department of Environment. Therefore, a number of counties are operating with a development plan based upon provisions of the 1947 legislation, while other counties have plans approved after passage of the amended Town and Country Act of 1968. The same situation would prevail for districts. The nation is, in effect, in transition from 1947 development plans to work done after passage of legislation in 1968 and 1971.

Another factor that complicates an evaluation of this act is the influence of other legislation which impinges upon planning efforts and results. For example, the Local Government Act of 1974 which created a two tier system of local government and metropolitan areas; 45 counties and 331 districts. This legislation also changed many county boundaries.

Social benefit objectives of planning policies are frequently difficult to evaluate. This difficulty is especially evident when objectives refer to improved "community life," or "quality of life." Contrast this type of objective to those relating to installation of water and sewer systems or establishing an industrial park. Hence, some of the results of planning are difficult to evaluate, especially in quantitative terms. Evaluation is made even more difficult when effects of the policies are distributed over an extended period of time, perhaps 10 or more years. (5, p. 63)

This difficulty is reflected in this remark by a long time farm organization secretary in response to a question about the effectiveness of planning: "I haven't seen much change and probably (the planning) hasn't achieved much. However, I can't really answer that question, for we don't really know what would have happened without it."

One author points out that present plans are much better in providing for patterns of growth or change.

"Certainly town and country planning can take credit for preventing sporadic building in the countryside . . . Planning has prevented ribbon development along country lanes, has helped preserve some of the older parts of towns and villages from redevelopment, and saved much good quality farmland by guiding development onto poorer land." (6, p. 60)

He goes on to add, however, that few of the major achievements of planning lie in rural regions. He considers that planning has had comparatively little effect on the physical environment of the countryside and much of the change that has occurred is beyond the scope of planning control. (6, p. 84)

Another source concludes that the planning has been very successful in its preservation of the rural countryside and preventing urban sprawl. However, a consequence of this action has been congestion in urban areas, for example, small lots and high rise apartments. (2, pp. 264-265)

"Since 1947, most of the British countryside has benefited, in appearance and in the functional efficiency of its major industry of agriculture, by control over development." (4, p. 194. For an extensive discussion of this topic, see Chapter 12, "Problems in Rural Planning.")

This is one area official's comments regarding what has happened as a result of the Town and Country Planning Act.

"We used to have strip development before the war. Planning put a stop to that and sharpened the edge between town and country. It made the boundaries more distinct. There is an orderly development on the fringe of towns now with no leap frogging. The Act protected good agricultural land and perhaps it can be argued that it over-protected agricultural lands."

He added that the planning system has been powerless in influencing the rural landscape. Almost all changes have been exempt from planning control, for example, hedgerows and trees can be removed without permission.*

There are, of course, restraints on size, height and distance of a house from a road, and every house must have a permission. Barns and other buildings are regulated; i.e., a planning permit is required if they contain 5,000 square feet and are 40 feet or more in height, and they must be set back 82 feet from any road.

The siting of farm buildings is primarily a farmer's decision, although he may be advised by agents from the Ministry of Agriculture, Food and Fisheries. A district planner may also advise the farmer on the location and types of materials used in the buildings.

Several sources mentioned that planning efforts focus on cities and

*A hedgerow is made up of shrubs and small trees. They range from closely clipped and/or shaped forms three to five feet in diameter and three to six feet in height to larger hedgerows irregular in width and height which may be twelve or more feet in width and ten or more feet in height. They serve the same function as a fence in terms of outlining the boundaries of fields and farms. The larger hedgerows serve as a habitat for many varieties of wildlife and are considered by many to add to the attractiveness of rural areas.

towns with little or no mention of rural land. A district government agent made this observation, "The act has had little impact on country life for it is largely town planning."

As England and Wales is such an urbanized nation this emphasis on urban areas is not surprising. Social scientists, central and local government officers and politicians think of rural areas as merely appendages to towns and cities (8, p. 93).

The Controversy Over Planning in Rural Areas

Officials of voluntary organizations, largely oriented to conservation or recreation objectives, complain that little control is exerted over farmers and planners are only marginally involved in what happens in rural areas. However, farmers feel they are subject to too many controls.

Transformation of the countryside is an ongoing process influenced not only by farmers' decisions concerning farm enterprises but programs of the Ministry of Agriculture, Food and Fisheries and the Forestry Commission and other changes influenced by the larger socioeconomic forces in the nation and the European Common Market. (4, Ch. 2, Agriculture and Rural Land)

One may ask, "Why this great concern about the countryside, i.e., more so in England and Wales than in the United States?" Two factors help explain this difference between the two nations, one being attitudes and values and the second being population pressure on land resources.

This response from an official of a planning association about probable differences in values and attitudes between this nation and the United States:

"England's population places a higher value on stability or in other words is not as change oriented as people in the U.S. We are more traditional, and as England has a much longer history than the U.S., there has been more opportunity for traditions to grow and be known throughout the country."

Most of England and Wales' people appreciate the importance of conserving the nation's rich and varied heritage. A long tradition of preserving the countryside is a part of their cultural heritage. (7, p. 367) Some of the nation's conservation-oriented organizations were formed 100 years ago or more. The rural landscape is receiving more attention now than ever before.

A district planner made this pointed remark: "You get a lot of local involvement and public concern for the environment and for conservation because many people place a high value on the landscape and its beauty."

Population Pressure

Pressures on the British countryside are intense, and scenic spots are small in area compared to the United States. As a professor pointed out, "England is densely populated with an urban population that is increasingly interested in using land for recreational purposes."

This population exerts heavy pressure on rural areas for outdoor recreation such as walking, picnicking and camping. Large numbers of urban residents also spend their holidays in the country and at the seashore.

Today the average urban resident uses the countryside more for he has more money, more leisure time and is more mobile than ever before. These trends increase the pressures on the countryside for a variety of uses other than agricultural uses.

The countryside is perceived as a national resource to be used by all. "Many people see the countryside as their playground and feel strongly that they have the right to use it." (4, p. 1)

The visual amenities are considered to be important too, and many people are quite concerned about the attractiveness of the rural landscape.

A number of national organizations, some with local chapters, have increased their pressure on the central as well as county and district governments as to how rural land is to be used.

Tension arises between conservationists who want to preserve the countryside, "Keep it like it is," combined with those who want to use it for recreational purposes and farmers who make their living from the land.

The urban population does not "see" the countryside in the same way as does the farming population. Trees provide a good example or case.

Farmers view timber as a crop while some others want to save trees at all costs. The farmer sees living, growing things as a crop--something you produce and then harvest. Others, the vast majority of whom are town or city residents, consider the landscape as something that you view and enjoy. They believe that the fewer the changes the more attractive the landscape. Trees are an important element in a beautiful landscape so they must not be cut or harvested.

These different points of view, which were encountered many times, set the stage for conflict.

This nation's farmers are confronted with a cost-price squeeze very similar to economic conditions encountered by farmers in the United States. Farmers are striving to reduce production costs while carrying out their agricultural operations. (8, pp. 81-82)

They have been taking out hedgerows and combining fields. This provides the basis for complaints that farmers are creating a featureless landscape." Conservationists and others interested in rural areas say, "Do not destroy the landscape and habitat for wildlife while making more intensive use of land and chemicals."

A district community development agent observed, "There is a war going on between landowners, who are not always farmers, and the walkers. The disputes center on footpaths and removal of hedges."

Perhaps this overstates the situation; however, this response from a farmer indicates how strongly held are these attitudes concerning conservation and attractiveness of the countryside. He recounted with considerable expression his experience while removing a hedgerow along a footpath. "I felt like a mass murderer the way those people walking by looked at me!"

These observations by a district agricultural agent seem to sum up the situation: "Farmers are in a kind of double bind; economic pressures are getting heavier, and on the other side is interest in beauty and pressure from urban people. Farmers are becoming more aware of the host of articulate organizations interested in what is going on in the countryside."

These conservation organizations have created a greater awareness of the environment and conservation practices in the minds of farmers. Farmers are careful about pulling up trees and are more interested in retention of wildlife. Most farmers are taking a broader view now and understand that a large and growing public are interested in the countryside for walking, looking and enjoying the landscape.*

Country landowners have a responsible attitude towards maintaining an attractive landscape as a part of the nation's heritage. The attitudes of many of the larger farmers have never been of a purely commercial nature. They perceive themselves as being stewards of the land. The attractiveness of the landscape and other aspects of living in the

*Interview with farmer, Huntingdon, 7/19/79. Similar statements were made by planners, district agents and other farmers.

country are viewed as a high level consumption good--something to be experienced as worthwhile, enjoyable. For example, birds and animals have been imported from all over the world to enhance the quality of life. These values and attitudes go back at least as far as the gentlemen farmers of the eighteenth century.*

Farmers want a beautiful countryside too and have a long tradition of taking care of things. They have been custodians of this land for generations with some families farming in the same area for 200 years or more.

Beauty or what is beautiful is not an exact standard. How different perspectives contribute to tension and conflict are revealed by this farmer's remarks. "Beauty is in the eye of the beholder and nothing is more beautiful to me than 100 acres of ripe wheat. While others say, 'Horrible, not a tree or a shrub. Farmers are raping the countryside!'"

The Time Factor

The most widespread complaint about planning was the time involved in completing plans and granting of planning permission. At present just over two-thirds (50 as of September, 1980) of the structure plans have been completed. Structure plans (22) for the remainder of the country are at various stages in the planning process. This delay creates uncertainty in the minds of many people. It is difficult for local plans to tie in with structure plans when the latter haven't been completed. Where structure plans are not completed districts must rely on county development plans evolved under provisions of the 1947 Act.

A district planner made this observation, "A major shortcoming in this planning is the time required to develop a structure plan for this (delay) holds up district planning."

*Interview with a professor, University of Reading, 6/20/79.

This statement by the Secretary of the Department of Environment:

"I have been appalled by the length of time it has taken to prepare and approve county structure plans . . . Slow decision is not necessarily a better decision." (The Guardian, July 19, 1979)

In some instances, differences in political parties between county and district councils contribute to delays in the planning process. One respondent pointed out that conflict sometimes occurs between structure and local plans because of conflicts between political parties. For example, a majority of the members of a county council may belong to the Conservative party, and most members of a district council may belong to the Labor party. The political differences and resulting conflicts hinder the planning process and execution of planning policies.

Several responses indicated dissatisfaction with the time required to get planning permission for a development and/or change in land use. A building industry representative complained that an application for planning permission may be delayed for months. He felt builders cannot cut through the "red tape," for there are no sanctions they can bring to bear on planning authorities. Appeal procedures can be very time consuming, especially if contested by other organizations.

Elected officials who grant or refuse applications rely on the recommendations of their planning staff. Both officials and planners are hard pressed to cope with the volume of work in some counties and districts. (3, p. 241)

Observations on Participation in the Planning Process

County and district planning committees make great efforts to reach broad sectors of the community using a variety of methods. They try hard to get participation from the general public at meetings and

by inviting written comments via letters. However, only a small number of people usually attend meetings or write letters. When informed about the preparation of a structure plan most people show little interest for it does not seem to affect them. One interviewee remarked, "Most people cannot relate to a structure plan for it is on too large a scale."

This statement was made by a district official, "We may be expecting too much in the way of participation by the general public. Unless it is easy for a person to see the effects of the planning proposals on his property or way of life he doesn't go to meetings or write letters."

It is probably unrealistic to expect participation by a large percentage of a population in the planning process. Reports from planners and others indicate that probably less than five percent of the people participate directly in the planning process--especially on structure plans. (4, p. 172) However, a large number of people are represented via the officers of trade associations and voluntary organizations.* The "man in the street" is hardly heard from at all, unless through an organization. However, the increased emphasis on planning has been made possible because a majority of the people feel the benefits outweigh the disadvantages.

Suggestions for the Future

The merging and clashing of ideas and attitudes about socioeconomic factors, population and how these two relate and intertwine with natural resources is an ongoing process. The tempo of discussion and political activity in the United States and England and Wales on these subjects and land use legislation can be expected to increase. The energy and world food shortages have thrust land use policy and controls to center stage. An ever growing number of

*See listing of organizations in structure plan section.

citizens are aware that land use and food and energy needs are directly related.

For persons concerned about future land use policies and legislation, I suggest a closer look at what is transpiring in this nation. In jerky stages the counties and districts are evolving structure and local plans with maximum opportunities for individuals and organizations to participate in the planning process. Planning at the local level is supported by the planning efforts of county and central governments. A system of planning permits provides a control device for local government. Strip or ribbon housing developments have been eliminated and agricultural land is protected.

Given the present trends, one could expect interest in the landscape and concern for what goes on in rural areas of the United States to increase. Federal and state governments can be expected to respond to these changes with new organizations and policies. There is a time lag between creation of policies and a change in people's attitudes leading to their acceptance of the new policies. A continuing educational program increases their understanding of new issues.

Universities, and especially the land grant universities, could be in the forefront in educational programs addressing land use policies and associated changes in people--natural resources relationships. For example, courses in landscape design may be added to programs in colleges of agriculture. Also, in-service education in the form of short courses for present staff members of United States Department of Agriculture agencies such as the Forest Service, Soil Conservation Service, Cooperative Extension Service and others regarding ways of enhancing beauty of the countryside, conservation of unique areas of special scientific interest (flora and fauna) and protection of historic sites.

Perhaps countryside educational programs could be incorporated in the ongoing programs of several federal agencies and their state counterparts. Target audiences would largely be urban residents who are or will be using the countryside. Hikers, bikers, picnickers and others frequently need to know more about agricultural practices. As one British farmer who had several public footpaths crossing his farm exclaimed, "It's time they (hikers) recognize a farm as a food producing place and they are standing on a factory floor!"*

Greater understanding created by educational programs should reduce conflict between owners of rural land and others who use it for recreational purposes.

Land use legislation provides additional opportunities for universities to address problems accompanying changes in norms, attitudes and values. Developments in this area provide many research opportunities for social and natural scientists.

Agricultural organizations such as the American Farm Bureau, National Farmers Organization, Grange, Farmers Union and the American Agricultural Movement may initiate programs to sensitize their members to types of farm practices that would enhance the visual appeal of rural areas. At times they may work closely with some of the conservation-oriented voluntary organizations.

One encounters only infrequent references about visual attractiveness of the countryside in the United States. A shift in values and attitudes of a sizable number of people will have to occur before more attention is given

*By law, rural landowners must allow ramblers and others access to public footpaths. The origins of these footpaths commonly date back to the eighteenth century, although some paths would be much older.

to the attractiveness of rural areas--especially the design and siting of houses and farm buildings.

Comments on the Ohio Situation

The time is at hand when Ohio should form a commission and/or designate an existing agency of state government whereby a comprehensive state land use policy could be developed and administered. Wise use of land resources is extremely important in maximizing the quality of life and future opportunities for Ohio's people.

Formulation of a state land use policy for Ohio and an organizational structure to implement these policies will be of benefit to the entire state. State policies could provide a framework within which towns, cities, counties and sometimes multi-county planning commissions could formulate policies. A case in point is Oregon. This state passed a land use act in 1973 establishing a Land Conservation and Development Commission. Via a series of meetings, this commission formulated statewide planning goals and guidelines. The latter have been used by cities, counties and state agencies in preparing comprehensive plans. (16, p. 7)

This new institutional structure should provide ample opportunities for urban and rural people and agencies of local and state government to contribute to the formulation of goals and guidelines for a state land use policy.

Local planning efforts would be facilitated by having state goals as a reference point. These goals plus guidelines should also enhance the comparability of one county's plan with adjoining counties as well as cities with counties.

If a state land use policy becomes a reality, the state may wish to establish multi-county regional structures: i.e., planning staffs to facilitate planning and development controls. An area planning office could provide guidelines for local planning offices. Formulation of objectives and policies

for an area could give additional focus to county and municipal plans.

Perhaps legislation mandating joint participation of city planning staff members with county planners when a county plan is being formulated or undergoing major revisions should be considered. The same procedure could require county planners to be present when towns and cities are formulating plans.

A legal requirement that each county and municipalities of a certain size have a planning staff would facilitate planning at the local level.

Zoning, especially rural zoning, and building permits would make for a clearer demarcation between urban and rural areas. Properly administered zoning should reduce the incidents of scatteration and strip developments of businesses and houses in rural areas.

As values and attitudes change, legislators should be prepared to formulate legislative procedures, which when enacted would perpetuate attractive features of the landscape as well as protect natural resources. Legislative proposals could also make provisions that would enhance the attractiveness and visual appeal of rural and urban areas.

Ohioans can expect a state land use policy to be enacted into law by the General Assembly within the next two to five years. It is hoped that information in this report will be of help to persons responsible for designing and implementing this legislation.

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